

State Farmers Market
1201 Agriculture Street, Raleigh, North Carolina 27603
Telephone (919) 733-7417 / Fax (919) 733-9932
EFFECTIVE January 1, 2008

Welcome to the State Farmers Market. **Use of the Farmers Area is for growers only.** To permit fair and equal opportunity for all sellers and to ensure quality products for buyers, the following rules have been developed. They will be revised and updated as needed, and may be modified according to the season and products being sold. We want to work with you and welcome your ideas and suggestions at anytime. To achieve maximum benefits and provide the best Market, Everyone - growers, sellers, customers, and management must share and work together. Thank you for choosing the State Farmers Market to sell your products. The Market Manager may deny the privilege of operating on the Market to any person who violates these guidelines and rules, or who otherwise takes actions which are determined by the Market Manager to be detrimental to the Market. The Market Manager specifically reserves the right to request additional information or documentation before making a decision to deny or limit access to the Market, but is not required by these guidelines to do so. The privilege of selling on the Market is not an entitlement. In utilizing his or her discretion to suspend, revoke, or otherwise terminate a seller's privilege to sell on the Market, the Market Manager may consider a seller's history of cooperation with the Market Manager and the seller's good faith effort to obey the guidelines and rules of the Market. Likewise, any effort to manipulate or to violate the spirit of the guidelines and rules may be considered. The ultimate discretion for eligibility determinations belongs to the Market Manager, and determinations are final once they are rendered.

FARMERS AREA RULES OF OPERATION:

- 1) All vehicles with product are to use the 2nd entrance, not main gate, stop at the Gatehouse, pay the appropriate fees and provide an accurate count of products being brought into the Market. Sellers are not to occupy a space until the gate fee is paid and gate personnel approve a space selection, this includes sellers that want to share a space. Fees are to be paid with cash and on a daily basis. Sellers are given spaces on the basis of 1st come, 1st serve. All spaces must be rented at the gatehouse before they are occupied. This includes shared spaces. Spaces cannot be transferred from one seller to another. Gatehouse personnel will make the placement. All sellers wanting to claim a space must have product and be prepared to sell. Sellers are not to rent a space without product to sell, intending only to reserve the space. Any products displayed beyond the lines will require payment for an additional space and must be approved.
- 2) Farmers Areas are open to the public from 6 AM – 8 PM Monday through Saturday and 8 AM – 6 PM on Sunday. Space rents from 12:01 AM – 11:59 PM each day. At peak season, sellers may experience a shortage of selling spaces under shelters. Additional outside spaces adjacent to the Farmers Areas will be identified to handle any overflow. The number and location of spaces available to sellers may be restricted depending upon the type of products to be sold, number of weeks one has sold, the amount and variety of produce being sold and the season. Growers may sell in only one area of the Market and all spaces rented must be adjoined. Growers are limited to two spaces on the aisle in the Farmers Building. For sellers who hold space from one day to the next, rent is to be paid for all days the Market is open. To hold these spaces, sellers must have product available for sale and must have personnel with the space. Growers are expected to be in their rented space from the hours of 9 AM – 5 PM each day (excluding Sundays). HONOR BOXES ARE NOT TO BE USED. Growers will be charged an additional load fee of up to \$6.00 in addition to the normal space fee when additional product is brought into the Market to replenish their displays. When all product is sold out, seller is to notify the gate personnel if they wish to hold the space or clean and vacate the space. If vacating the space, everything (vehicles, trailers, tables, containers, waste, etc.) must be removed from the Market. Growers are not to hold spaces with vehicles, trailers or small amounts of produce. Market users are to remove vehicles, products or property as directed by the Market Management.
- 3) Sellers may not offer for sale produce that is unsound, unwholesome or which fails to meet the requirements of federal, state or local laws. Commercially manufactured farm, craft and baked good items are prohibited in the Farmers Area. In

order for growers to sell baked goods and canned items, sellers must provide kitchen inspection and label products. The office of N.C Food & Drug Protection (919) 733-7366 handles the inspection. All craft items must go to the Craft Building. **Baked Goods** can go to the Farmers Area if space is available, but growers will have priority. Growers wishing to sell craft or baked good items must meet with Market Management prior to offering them for sale. No canned vegetables are to be sold.

- 4) **Value Added Products:** To sell value added products in the Farmers Area you must produce the raw product that the value added product comes from. Ex: strawberry jelly or jam- Strawberries, Pickles - cucumbers, Relishes – peppers, tomatoes, etc. You must also have the proper certification to produce these products. Example: acidified food license, & kitchen inspection. **No concession foods can be sold in the Farmers Area.**
- 5) Sellers that plan to use the words “Organically Grown” or “Pesticide Free” must meet with Market Management to discuss their intentions prior to using them on signs in their spaces. In the event that no one is in the office at the time you wish to sell, products could be sold, but without the use of the words “Organic” or “Pesticide Free” until a meeting is scheduled with Management.
- 6) No live animals or birds may be sold on The Farmers Market. **No cooking is allowed in the Farmers Area due to electrical restraints. In order to sell meat and seafood on the market you must follow the guidelines in The SUPPLEMENTAL GUIDELINES FOR SELLING MEAT, POULTRY AND SEAFOOD on the Farmers Market.**
A copy of these guidelines is posted on the web site or can be picked up at our office.
- 7) **Complaints:** It is the responsibility of the Market seller to satisfy customer complaints. Upon receipt of numerous complaints about the same Market seller, this person may be denied privilege to use the Market. If anyone has a complaint about another grower, be specific. Write down information and give to the Market Manager. Sellers are not to use false pack (facing or topping of containers with the best products exposed and poor products underneath) or to knowingly pack products that are short in weight.
- 8) All sellers who retail **must display their name, (or farm name) and address.** All other signs must be approved by the Market office. All displays and signs for retail sales must be oriented towards the center aisle. Use of price cards is encouraged.

Sellers are responsible for accidents or injuries that occur within their rented space or involving their displays or equipment (trailers, tables, signs, umbrellas, etc.) and may want to purchase a liability insurance policy. Sellers may be asked to sign a statement about their use of and acceptance of responsibility for potentially dangerous items used in their spaces.

Example: Use of chain saws for Christmas trees.

No user of the Market shall enter into price agreements to raise, lower or fix prices for products on the Market. Sellers are not to influence other sellers to sell lower or higher. Each one sells as they wish without interference. Sellers are to stay with their products and are not to approach or call out to buyers who are at the location of another seller. Sellers who give out samples must be responsible for the seeds, skins, pits, rinds or juice. No product is to be presented on a knife.

Certified growers from out of state will pay a double rate and must sell only their own products (*only the grower and his or her spouse or their children, living with them, may sell*). Out of state growers are not allowed to designate other growers or employees to sell their products and may not sell to other growers within the Farmers Area.

If outside space is approved it must be paid at the Gate. This includes vehicles, handcarts, signs, cones, buckets, towmotors, etc. Outside space is \$10.00 per space per day. Keep in mind that using an outside parking space means a customer cannot use it! Parking spaces around Farmers 1 and the Connector are for customers, outside parking spaces can only be used around Farmers 2. When spaces are needed for re-loads please unload in a timely manner and move your vehicle to the front lot. All sellers and employees should use the front lot for parking. No outside spaces can be

rented or used without checking with market staff first. Any vehicles left on the market for more than 7 days will be charged \$4 per day. Please help the Market maintain and keep restrooms clean. Report dirty or unclean conditions to the gatekeeper or maintenance personnel.

FORK LIFT GUIDELINES

- A. You must have an operator certification to have a towmotor (forklift) operating in the Farmers Area. The N.C. Industrial Commission or OSHA requires this. We need to have a copy on file in the office.**
- B. There will be a \$360.00 per year or \$50.00 per month fee to keep a forklift on the Market for use in the Farmers Area. This includes use in the parking lots.**

Market users, sellers, or buyers are not to use profanity, abusive language or verbally abuse other Market users, customers or Staff. No dogs or pets are to be kept on the Market or in buildings. No disruptive or loud noisemakers are permitted. (Examples: radios, drums, musical instruments, etc.)

Gambling, the use of alcohol or other controlled substances is prohibited and persons under the influence of intoxicants or exhibiting disorderly conduct will be removed. Sellers are not to possess firearms or fireworks on the Market. Vehicles must be driven only by licensed drivers who observe the speed limit and posted signs. No person shall deface or damage the Market buildings, pavement or other equipment. Users must keep their areas clean, sanitary and orderly. No homesteading is allowed. Notify the Market Management if you discover product is missing and appears to have been stolen.

ELECTRICITY: There will be no charge for electricity. Due to electrical restraints in the Farmers Building, no salamander heaters, refrigerators, coolers, **hot plates**, or televisions are allowed. **NO COOKING!**

TRASH:

Gray Containers: Trash only, no food waste. Only paper, glass, plastic, styrofoam and waxed cardboard in these containers.

Green Containers: Only food waste and organic matter in these containers.

Dumpsters: Only non-waxed cardboard in these containers.

If you cannot work with this system for all waste matter you bring on the Market, you must take waste off of the market!

PLANT GROWERS: Must produce 100% of their product and can claim no more than 2 spaces inside Farmers 2. Space has become limited. We will have a drawing for all growers that participated in the drawing in 2007. The growers that claimed spaces after the drawing in 2006 can claim the spaces remaining. If there are any spaces left, they can be claimed on a 1st come, 1st serve basis. Only spaces in Farmers 2 and the Connector can be claimed for plants. The six-week commitment period for the drawing is from the 1st week in April through May 15, 2008. No one will get more than 2 spaces inside of Farmers 2. In order to get 2 spaces inside of the building, you must get the 2 outside. Spaces claimed during the 6-week commitment period are not guaranteed after the 6-week commitment period. No Plants will be allowed in The Connector from June through August. No displays can block the displays of your neighbor. Plants needing to be sprayed should be returned to the farm for treatment. All live nursery stock (winter hard trees, shrubs, vines, perennial bulbs, turf grass, narcissus bulbs, strawberry plants, iris and daylily plants, rose plants, etc.) offered for sale must be properly certified by the state where they were produced to be apparently free of injurious plant pests and free of quarantined plant pests. Certificates making these statements must be maintained on-site for all nursery stock on hand and for non-nursery stock plants originating out-of-state. Contact the Plant Protection Section of the N. C. Dept. of Agriculture at (919) 733-6930.

PUMPKINS & CHRISTMAS TREES: All spaces for pumpkins and Christmas trees are currently full. We have a waiting list for each and will be happy to put you on the list.

These guidelines are authorized by the N. C. Administrative Code governing State Farmers Markets and have been recommended by the Market Operational Advisory Committee.

If Market Staff finds that any of these rules are not being followed, the penalties will be:

1st Offense - Written *Warning*

2nd Offense - Banned from all use of the Market for 30 days.

3rd Offense - Banned from all use of the Market until January 1st of the following year.

FARMERS AREA: SUMMER PRODUCE GUIDELINES

Guidelines that cover all situations and circumstances are difficult to develop. These guidelines can change depending on seasons, products, grower situations, and the Market Managers discretion

Definitions:

Grower-Seller: Grower offers for sale fruits and vegetables grown or produced on land that them or their immediate family own or lease. All crops must be FSA Certified. Grower or immediate family members must man spaces. Growers-Sellers will be referred to as an "A" grower.

Grower-Buyer-Seller: Grower offers for sale fruits and vegetables grown or produced on land that them or their immediate family own or lease. In addition, they may purchase from 3 certified N. C. growers. A Grower-Buyer-Seller must certify the fruits and vegetables that they grow through FSA. The grower may purchase from 3 FSA certified North Carolina Growers, but must produce ½ of the product on their stand at anytime. Example: If the grower produces 5 items themselves, they can only buy ½ that amount from the certified grower which would be 2 items. The Grower-Buyer-Seller may buy from the North Carolina Farmers Wholesale Area. A Grower-Buyer-Seller will be referred to as a "B" grower.

Grower-Designated Seller: Grower offers for sale fruits and vegetables grown or produced on land they or their immediate family owns or leases and has designated a person to represent them at the market. The grower forfeits his/her opportunity to sell on the market themselves for the season. The grower must visit with market management to request and explain the situation and provide FSA certification of the crops they produce. A Grower-Designated Seller may only represent one grower per season. A Designated grower- seller will be referred to as a "C" Grower.

Seasons:

Fall-Winter Season (September 1st-May 15th): "A", "B" and "C" growers may select any space on a first come first serve basis. Growers must be producing half of the product offered for sale. The Designated Seller may only sell the fruits or vegetables the "C" grower produces.

Summer Season (May 16th-August 31st): "A" growers may select any space they choose. "B" growers may only select in a "B" space designation. "C" growers may only select in a "C" designated space. To qualify for 2 spaces during the summer season you must bring in 300 packages per week.

Certification: The grower must certify all crops with a Form 578 through your county Farm Service Agency. The grower must also visit with market staff prior to selecting a space and declare their status as an "A", "B", or "C" grower. A grower may change his/her status from season to season, but must abide by the rules of that designation.

Space Designation: All spaces in Farmers I and the Connector will have an "A", "B", or "C" designation and may change with the season and usage. An "A" Grower may select any space that is not occupied by another "A" Grower. "B" growers may only select "B" spaces during the Summer Season. "C" Grower-Designated Sellers may only select "C" designated spaces during the Summer Season. During The Fall-Winter Season a grower may select any space he/she chooses but must be in the proper "A", "B", or "C" space by the Summer Season.

Penalty: Any grower violating the Summer Produce Guidelines will be subject to a minimum of 10 days and a maximum of 30 days suspension from the farmer's retail area.